

**From:** Mason, Steve  
**To:** [Gray, David](#); [Assunto, Carmen](#); [Webster, Susan](#); [Ragan Broyles \(broyles.ragan@epa.gov\)](#); [Monica Smith \(smith.monica@epa.gov\)](#)  
**Subject:** RE: Follow Up/getting urgent  
**Date:** Wednesday, May 01, 2013 12:48:00 PM

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Under EPCRA 301, each state was required to establish planning districts... in TX, and all of our states in Region 6, the State established the county/parish as the planning district...

Each district is required to have an LEPC. In TX, since the County Judge is the emergency management director for the county, the State deems the county judge to be responsible for the LEPC.

The LEPC shall include members from the following groups: elected State and local officials; law enforcement, civil defense, firefighting, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the requirements of this subchapter.

The LEPC shall establish rules to function (most have bylaws they pass), on how to collect information from facilities, and how to make that available to the public (most of the time, the information is stored at the emergency management office, and so the bylaws have the requestor to go to the emergency management office, or request the information from that office).

The Tier II forms (inventory forms) go to the State (DSHS), the LEPC (in McLennan County, the Emergency Management office is the repository for the LEPC to receive the Tier II forms), and the local fire department...

There is no requirement on how often the LEPC must meet in the law.

The law required the LEPC to develop an emergency plan (which is part of the county/city all hazards emergency response plan), and to review the plan annually.

The LEPC does not receive the RMP from the facility... that goes directly to EPA HQ...

In terms of grant money,

EPA does not give grants to LEPCs in any form. There are 2 potential grants.... The county could receive a grant from DOT through the State to do planning (specifically a commodity flow study)... FEMA also provides grants to county/city governments to operate an emergency management program (all-hazards)... the FEMA grant does not specifically fund LEPC operations or their establishment...

-----Original Message-----

**From:** Gray, David  
**Sent:** Wednesday, May 01, 2013 11:21 AM  
**To:** Assunto, Carmen; Mason, Steve; Webster, Susan  
**Subject:** Fw: Follow Up/getting urgent

Steve,

Can we answer Mike's question about LEPC role and responsibility?

David

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From: MIKE LEE (BLOOMBERG/ NEWSROOM:)  
Sent: Wednesday, May 01, 2013 10:48:23 AM  
To: Gray, David  
Subject: Re: Follow Up/getting urgent

David -- Hey, this question of what LEPCs are required to do is getting urgent. Channel 8 is evidently telling state legislators that McLennan County took federal money to form an LEPC, but didn't do so. My understanding, from your answers and from talking to a couple of environmental groups, is that the county wasn't necessarily required to do anything once it received the risk plan from the fertilizer plant.

I absolutely don't want to repeat bad information -- can you help clear this up? In your earlier response, you said the LEPC was required to give people access to the report from West Fertilizer if they asked for it. Was there any requirement for the LEPC to hold meetings, take any action, etc? Was it required to have more than one member, could it exist only on paper?

----- Original Message -----

From: gray.david@epa.gov  
To: MIKE LEE (BLOOMBERG/ NEWSROOM:)  
At: May 1 2013 06:20:42

Yep. I will see what I can find out for you.

I think Q1 is for law enforcement, not epa. Rachel Moreno at State Marshal office may be able to help you.

Q2 it amended the CAA 112r - I have check out changes and date. I don't have a quick summary comparison but will see if one is available.

Q3 - need to double check .

David